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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/687,897	10/13/2000	Patrick Digabel	PHF 99.591	8980

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

ORGAD, EDAN

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 06/15/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/687,897

Applicant(s)

DIGABEL, PATRICK

Examiner

Edan Orgad

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2, 3 and 6-9 is/are allowed.
- 6) ☒ Claim(s) 1, 4 and 5 is/are rejected.
- 7) ☒ Claim(s) 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claims 4, 5 & 10 are objected to because of the following informalities: it is not clear that the dependencies of those of claims are actually in the preamble. For the purpose of clarity, it would be more easily understandable if the claims were rewritten to follow the format of claims 7-9. Appropriate correction is required.

Claim 5 is also objected to for grammatical errors. On page 12, line 29, "claimed in one of the claim 1". This statement is not clear.

Examiner's note: it is difficult to ascertain whether applicant desires claims 4 and 5 to be independent claims or dependent claims.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 4, it is not clear what reset step applicant is referring to. Claim 1 has no discussion of a reset step and therefore, it is difficult to understand which attribution and reset steps applicant is referring to.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 & 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Rangan et al (US 5,903,616).

Regarding claim 1, Rangan teaches a method of selecting a signal among N signals (see abstract), the selection taking place in that a validation signal associated with the signal to be selected is placed in an active state by means of a selection signal (col. 2, lines 38-47), which method includes an attribution step in which the state of the associated selection signal is attributed to each of the validation signals, which attribution step is carried out when all the validation signals are in an inactive state (see col. 2, lines 48- col. 3, line 4).

Regarding claim 4, as best understood with respect to the 112- 2nd ¶ rejection above, Rangan teaches the selection taking place in that a validation signal associated with the signal to be selected is placed in an active state by means of a selection signal (col. 5, lines 9-32).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rangan et al (US 5,903,616) in view of Sengoku (US 5,875,321).

Regarding claim 5, Rangan teaches exchanging data with a machine, wherein a clock signal selected among N clock signals supplied by the machine (see col. 2, lines 48- col. 3, line 4).

However, Rangan fails to disclose a chip card where the data is transmitted to the chip card.

However, in the same field of endeavor, Sengoku teaches controlling clock signal periods for the purpose of transmitting data to a chip card (col. 1, lines 40-57). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use Sengoku's chip card with Rangan's method of selecting a signal in order to provide less complicated circuitry.

Allowable Subject Matter

Claims 2, 3 & 6-9 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claim 2, the prior art of record, specifically (Rangan et al US 5,903,616) teaches a method of selecting a signal among N signals, the selection taking place in that a validation signal associated with the signal to be selected is placed in an active state by means of a selection signal (see col. 2, lines 48- col. 3, line 4). However, neither Rangan or other cited prior art disclose a reset step in which those validation signals which have not presented an

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active front since a given moment in time are reset to an inactive state, which reset step is carried out when at least two validation signals are simultaneously in an active state.

Regarding claim 3, the prior art of record, specifically (Rangan et al US 5,903,616) teaches a method of selecting a signal among N signals, the selection taking place in that a validation signal associated with the signal to be selected is placed in an active state by means of a selection signal (see col. 2, lines 48- col. 3, line 4). However, neither Rangan or other cited prior art disclose a reset step in which all validation signals which have not presented an active front since a given moment in time are reset to an inactive state, which reset step is carried out when one of the validation signals presents an active front.

Regarding claim 6, the prior art of record, specifically (Rangan et al US 5,903,616) teaches a switching device designed to deliver at an output a signal selected among N input signals when a validation signal associated with said input signal has been placed in an active state by means of an associated selection signal, which device includes: attribution means capable of attributing to each of the validation signals the state of its associated selection signal, which means are intended to be activated when all the validation signals are in an inactive state (see col. 2, lines 48- col. 3, line 4). However, neither Rangan or other cited prior art disclose a reset means capable of resetting to an inactive state those of the validation signals which have not presented an active front since a given moment in time, which means are intended to be activated when at least two validation signals simultaneously have an active state.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US 6,265,930 Glitch free clock multiplexer circuit.

US 6,154,797 System and method for multiplexing serial links.

US 6,138,918 Portable data carrier and method for selecting operating mode thereof.

US 5,875,321 Method and apparatus for controlling clock signal period.

US 5,357,146 Glitch-free clock multiplexer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edan Orgad whose telephone number is 703-305-4223. The examiner can normally be reached on 8:00AM to 5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached on 703-305-4223. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Edan Orgad



June 2, 2004



NAY MAUNG

SUPERVISORY PATENT EXAMINER